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June 13, 2006

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JUN 13 2006

PUBLIC SERVICE
COMMISSION

Elizabeth O'Donnell
Executive Director
Public Service Commission of Kentucky
211 Sower Boulevard
Frankfort, Kentucky 40602

Re: *In the Matter of: James Nolten Blair v. Louisville Gas and Electric Company,*
Case No. 2006-00222

Dear Ms. O'Donnell:

Enclosed please find an original and ten (10) copies of the Answer of Louisville Gas and Electric Company to the Complaint of James Nolten Blair in the above-referenced docket.

Should you have any questions concerning the enclosed, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads 'Allyson K. Sturgeon'. The signature is written in a cursive, flowing style.

Allyson K. Sturgeon

cc: JEB Pinney
James Nolten Blair
Dennis G. Howard, II
Lawrence W. Cook

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE
COMMISSION

In the Matter of:

JAMES NOLTEN BLAIR)	
)	
COMPLAINANT)	
)	
vs.)	CASE NO. 2006-00222
)	
LOUISVILLE GAS AND)	
ELECTRIC COMPANY)	
)	
DEFENDANT)	

* * * * *

ANSWER OF LOUISVILLE GAS AND ELECTRIC COMPANY

In accordance with the Kentucky Public Service Commission's ("Commission") Order of June 6, 2006 in the above-captioned proceeding, Louisville Gas and Electric Company ("LG&E") respectfully submits this Answer to the Complaint of James Noltten Blair ("James Blair") filed on May 30, 2006. As an initial matter, LG&E states that the issue here involves the application of Original Sheet No. 82.1 of LG&E's electric and gas tariffs, regarding property owner liability for service at his property in the absence of an active account, which tariff provision is the subject of nine pending Complaints¹ at the Commission and which was recently

¹ In the Matters of: **Ada Mae Clem v. Kentucky Utilities Company, Case No. 2004-00499; Jill And Robert Wade v. Kentucky Utilities Company, Case No. 2005-00118; Roy Gaines Walton and Gerald Walton v. Kentucky Utilities Company, Case No. 2005-00136; Robert H. Noe And Dan L. Barnett d/b/a B & D Rentals v. Kentucky Utilities Company, Case No. 2005-00423; John Yuen v. Louisville Gas and Electric Company, Case No. 2004-00450; Curtis E. White v. Louisville Gas and Electric Company, Case No. 2004-00497; Norman L. Dennison v. Louisville Gas and Electric Company, Case No. 2005-00099; Donald Marshall v. Louisville Gas and Electric**

addressed at a hearing on May 30, 2006. Because the Commission's decisions in those cases may affect LG&E's position in this case, LG&E respectfully requests that the Commission hold this case in abeyance pending a final order in those proceedings.

In compliance with the Commission's order of June 6, 2006, however, LG&E provides the following response to James Blair's Complaint in order to preserve its defenses:

1. LG&E admits the allegations contained in paragraph (a) of the Complaint, on information and belief.

2. With regard to the allegations contained in paragraph (b) of the Complaint, LG&E states that its primary business address is 220 West Main Street; Louisville, Kentucky 40202.

3. With regard to the allegations contained in paragraph (c) of the Complaint, LG&E states as follows:

a. As to the averment that "utility service had been ordered to be turned off on August 30, 2005," LG&E states that James Blair requested service to be turned off on August 30, 2005.

b. LG&E admits that there was gas and electric usage at 2414 Pyle Drive subsequent to August 30, 2005, but is without knowledge or information sufficient to form a belief as to whether such usage was without the authorization of James Blair.

c. LG&E denies the averment that "the meters should have been locked or removed at 2414 Pyle Dr."

d. As to the averment that "when the bill was contested it was transferred to another address, 2323 S. 6th St," LG&E admits that the bill for 2414 Pyle Drive, Louisville,

Company, Case No. 2005-00137; and Maria L. Wilson v. Louisville Gas and Electric Company, Case No. 2005-00182.

Kentucky was transferred to another rental property owned by James Blair at 2323 S. 6th Street, Louisville, Kentucky. LG&E denies that it was transferred due to the fact that James Blair contested the bill.

e. Based upon the existing tariff language, LG&E denies the averment that James Blair “should not be liable for the amount of \$979.48.”

f. To the extent that there are any additional averments contained in the statements at the end of paragraph (c) of the Complaint, LG&E denies these allegations.

4. LG&E denies all allegations contained in the Complaint which are not expressly admitted in the foregoing paragraphs of this Answer.

FIRST AFFIRMATIVE DEFENSE

The Complaint, or parts of it, fails to set forth any claim upon which relief can be granted by this Commission and, therefore, should be dismissed.

SECOND AFFIRMATIVE DEFENSE

The Complainant has failed to set forth a *prima facie* case that LG&E has violated its tariff or any statute or Commission regulation, and the Complaint should be dismissed for that reason.

WHEREFORE, for all reasons set forth above, Louisville Gas and Electric Company respectfully requests:

- (1) that the Commission hold this case in abeyance pending the issuance of the final order in the cases referenced in footnote number 1;
- (2) that, following the issuance of such a final order, LG&E be provided another opportunity to satisfy the matters complained of based upon the Commission's decision; and
- (3) that LG&E be afforded any and all other relief to which it may be entitled.

Dated: June 13, 2006

Respectfully submitted,



Allyson K. Sturgeon
Attorney for
Louisville Gas and Electric Company
220 West Main Street
Post Office Box 32010
Louisville, Kentucky 40232
Telephone: (502) 627-2088

Counsel for Louisville Gas and Electric Company

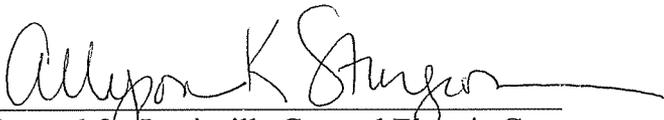
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Answer was served on the following on the 13th day of June, 2006, U.S. mail, postage prepaid:

James Nolten Blair
201 W. Spring Street
New Albany, Indiana 47150-3612

Dennis G. Howard, II
Lawrence W. Cook
Assistant Attorneys General
1024 Capital Center Drive
Suite 200
Frankfort, Kentucky 40601-8204

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Counsel for Louisville Gas and Electric Company